

- Administration
- Bureau of Motor Vehicles
- Emergency Management Agency
- Emergency Medical Services
- Office of Criminal Justice Services
- Ohio Homeland Security
- Ohio Investigative Unit
- Ohio State Highway Patrol



November 17, 2009

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Madam Secretary:

Please see the attached Comments of the Ohio Statewide Interoperability Committee (Ohio SIEC) in the matter of the Louisiana Statewide Interoperability Executive Committee, Petition for Rulemaking, RM-11577.

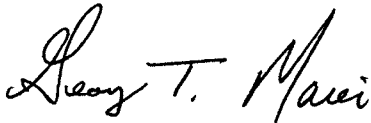
Ohio, like Louisiana, has spent a significant amount of taxpayer's monies in the last several years to provide police officers, firefighters, and other emergency responder's with radios capable of operating on our current 800 MHz trunked, digital radio systems located throughout the state.

Ohio is currently in the process of upgrading our statewide 800 MHz system, as well as several regional systems, to the 700 MHz technology.

If our current investment in many thousand modern radios will be nullified on January 1, 2017, Ohio's first responders may well be faced with an insurmountable challenge of purchasing yet another generation of radios, all at a considerable cost to our citizens.

The Ohio Statewide Interoperability Executive Committee shares with Louisiana in asking for this mandated narrow banding of the yet-to-be utilized 700 MHz spectrum until January 1, 2025, at the earliest.

Very truly yours,



George T. Maier
Chairman
Ohio SIEC

Mission Statement

"to save lives, reduce injuries and economic loss, to administer Ohio's motor vehicle laws and to preserve the safety and well being of all citizens with the most cost-effective and service-oriented methods available."

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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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| In the Matter of |) | |
| |) | |
| Louisiana Statewide |) | RM-11577 |
| Interoperability Executive |) | |
| Committee Petition for |) | |
| Rulemaking |) | |

To: The Commission

Comments of the Ohio Statewide Interoperability Executive Committee

These comments are filed by the Ohio Statewide Interoperability Executive Committee (Ohio SIEC), in support of the Petition for Rulemaking, RM-11577, filed by the Louisiana Statewide Interoperability Executive Committee, concerning the date for required narrowbanding of the 700 MHz public safety radio frequencies to 6.25 KHz efficiency.

Relevancy

The Mission of the Ohio Statewide Interoperability Executive Committee is to provide guidance and strategic direction for Public Safety first responders in their communications initiatives, for the purpose of continuous improvement in reliable, mission critical wireless communications interoperability.

The Ohio SIEC was established in January, 2003 after Ohio's Governor sought approval from the Commission to form the Committee to oversee and administer the 700 MHz. Interoperability spectrum as was suggested in WT Docket 96-86. In his November 19, 2002 letter to the Governor, Commission Chairman Michael Powell approved the request and the Committee was seated shortly thereafter. Since that time, the Ohio SIEC has expanded its role to oversee and recommend usage guidelines for effective interoperability in all public safety bands. It has been well received by the public safety community and has very active participation, frequently numbering 50 or more people attending quarterly meetings. Additionally, an active e-mail listing reaches out to several hundred practitioners and interested parties.

Ohio, as Louisiana, is highly vulnerable to catastrophic weather events. Tornadoes, heavy snow and ice storms and lingering effects of Gulf of Mexico hurricanes in the form of flooding rains and wind, to name a few. Local severe rainfall plagues various areas of the state almost predictably and can cause serious flooding issues on a yearly basis as well. Ohio is a main transportation corridor, with cross country shipments by train and truck a daily occurrence. Occasional accidents involving either of these mediums can impact other shipments and effectively block citizen travel and commodity movements for extended periods of time. Ohio is also home to two nuclear power plants with a third residing just across the border in Shippingport, Pennsylvania. Such events and

installations require efficient, effective communications interoperability at all levels of government.

Discussion

Interoperable communications means different things to different people in different regions and states. Ohio began planning and construction of a statewide 800 MHz. system long before "interoperability" became a fashionable word. Ohio's Multi-Agency Radio Communications System (MARCS), constructed at a cost of over \$271 million dollars, consists of over 200 transmitter sites that provide better than 99% mobile coverage throughout the state. MARCS became fully operational in 2004 and is actively planning to expand into the 700 MHz. band immediately.

In the past three years a great deal of grant monies has been made available by various Federal agencies, primarily the Department of Homeland Security, for Improving Interoperable Communications. According to the Ohio Emergency Management Agency, our State Administrative Agency (SAA), Ohio received approximately \$75 million dollars over those three years toward that goal. Since some these grants typically require a 20% match, additional millions more local dollars have been spent on radios capable of operating on the 700 MHz. frequencies, plus considerable additional local monies that we have no way to tabulate. It would be safe to say, however; the grand total could easily exceed \$100 million dollars over that three year period.

The Ohio SIEC has served as technical reviewer and evaluator for the many grant requests submitted and provided recommendations to the SAA as to which requests served the spirit of the National and State Interoperability Plans (NCIP/SCIP) in the most beneficial manner.

Those grant funds were used to purchase communications equipment available at the time. Now the vendors tell us this recently purchased equipment will not be upgradable and capable of operating at 700 MHz. 6.25 KHz efficiency.

This means that our public safety agencies, who were expecting to have equipment they could use for 10 or 12 or 15 years or more, must literally "throw it out" after 8 years or less. It is the feeling of our SIEC that this is an unthinkable waste of Federal grant dollars.

Our membership is made up of technical and administrative personnel who have long been stewards of the public dollar and, knowing where that money comes from (the taxpayers); this near term obsolescence does not sit well. This greatly concerns our SIEC and we believe the heads of the grant funding agencies will likely be concerned as well.

Many of the local agencies we work with are highly upset and think the SIEC let them down in some way or allowed them to be led astray when in reality the grant funds had to be used on the equipment available at the time and they had no choice. 700 MHz. 6.25 KHz. upgradable equipment was simply not available. It was only this mid-year (2009) that type accepted 6.25 KHz. equipment became readily available, albeit at a significantly higher cost than previous equipment. By then, most grant funds had been either obligated or expended.

With the aforementioned influx of grant money, today we find more than 700 user agencies: state, county, city, township, health districts, hospitals, public and private EMS providers including all medical helicopters in Ohio and numerous Federal agencies including the Northern Border Initiative, ICE, TSA and Coast Guard, using nearly 35,000 subscriber units, most if not all of which we now find will be inoperative on the soon to be implemented P25 700 MHz. portion of MARCS, in a little over six years. The cost of replacing this equipment in today's economic environment will be devastating to both state and local government entities and could severely hamper or curtail the needed level of interoperability we are striving diligently to achieve. The logic of this action, we feel, is detrimental to the established mindset of interoperability. No agency, large or small, can justify such massive expenditures of taxpayer monies with the knowledge that the equipment usable lifetime will simply expire on such a near term date.

Recently, PSIC grant money has been spent on a central controller and a large quantity of 700 MHz infrastructure for the Cuyahoga County (Cleveland) area, the most populous region in the state. A fully interoperable 700 MHz. sub-system will be constructed to give first responders there a level of interoperability they have never had before. This sub-system will be integrated into the existing Ohio MARCS 800 MHz. system which provides fully interoperable communications statewide. Plans call for additional roll-out of P25 700 MHz. in otherwise spectrum starved areas of the state for both operational needs as well as interoperability.

Conclusion

The Ohio SIEC respectfully asks the Commission: what is driving the date of December 31, 2016? To our knowledge, no demonstrated need has been shown for additional spectrum in this band. There has been no hue and cry raised from the users that existing channels are too congested. In most areas of the country, 700 MHz. has not even been implemented. There is no Congressional mandate that we are aware of. Why that date?

If any date is necessary at this time, we would support the Louisiana suggested date of December 31, 2024 to be satisfactory until more is known about demand and usage of the spectrum. However, the Ohio SIEC thinks the public safety community and the public interest would be better served if the Commission were to simply withdraw or reverse their action pending further study and review.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Darryl L. Anderson". The signature is fluid and cursive, with the first name "Darryl" being the most prominent.

Darryl L. Anderson
Administrator, Ohio SIEC
Designated State Interoperability Contact

November 18, 2009